

TOWN OF TRURO
BOARD OF SELECTMEN
MEETING OF TUESDAY, APRIL 10, 2007

The Truro Board of Selectmen met for their weekly session on Tuesday, April 10, 2007 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Gary Palmer, Clerk Christopher R. Lucy, Curtis Hartman, Jan Worthington, Town Administrator Pamela Nolan, Administrative Secretary Julie DuPree, Assistant Town Administrator Charleen Greenhalgh, Martha Nagy, Mike and Pat Snell, Breon Dunigan, Lisa Olson, Desiree Duda, Brenda Boleyn, Bruce Boleyn, Derek Burritt of the Banner.

Mr. Gaechter convened the meeting at 6:00 p.m.

Minutes: Mr. Palmer moved to approve the minutes of the regular sessions of April 3, 2007 as written. Ms. Worthington seconded it. Mr. Hartman requested that language be revised in two places. Mr. Gaechter noted that the motion and second were amended to reflect this. **Vote: 5-0, unanimous.**

Public Comment: Mr. Snell told the Board he watched their last meeting on television and he was characterized as a chief complainant of the steeple lights. He told the BOS that for the record, he never complained about the lights. He questioned the lights because they were changing almost daily. He did suggest that the town should be environmentally responsible and turn them off at a reasonable hour. He was pleased with the Board's decision, and is not displeased with the reversal of the decision. His concern is with the future of his great grandchildren. Mr. Hartman noted that his original vote was based on his environmental concern, and not based on anyone's complaint. He said it should be understood that the reversal was with the understanding that there would be an inventory of all town building lights, and an effort to cut down on ambient light.

Ms. Snell questioned why they would study all the lights in town first, when the BOS know they have a problem here; why not start here and make this building their # 1 priority. Mr. Gaechter told her there is no #1 or #2; they will be looking at all the lighting. Ms. Snell asked the Board when exactly did the bells ring and the lights turn on before the Town Hall was re-constructed. Mr. Gaechter told her he didn't have that information. She then questioned Ms. Worthington directly on her memories of this; Ms. Worthington said that she was not going to engage with her in this manner. Ms. Snell countered that the BOS were using memories as a basis for when the lights should be turned on and the bells rung. She told the Board of her past experience in attending FinCom meetings and having the Town Hall completely in the dark. When the discussion became argumentative, Mr. Gaechter recessed the meeting for five minutes.

Report on MESA requirements for CC project: Ms. Nolan reported that she, Ms. Greenhalgh, and consultant Madden met with MESA officials. It was determined that the affordable housing is a separate project and not subject to MESA review, the depression on the site is not a kettle hole. The silt fence is installed so only an initial turtle sweep is required. Since a conservation restriction would be so small, we can give the land to the ConsCom instead, and put on a deed restriction. Ms. Greenhalgh explained the deed restriction requirements; it would include the area where the pump house is located, but would not be a large area. It should allow for maintenance of the pump house if needed by the proposed affordable housing. She told the Board that as soon as they say to go ahead, the deed restriction can be done. Someone

must be found to do the turtle sweep; perhaps they can get it done pro bono by someone from the CCNS or Audubon. **Mr. Hartman moved to ask the Town Administrator to prepare the four appropriate documents, which are an appropriate survey, the deed restriction, a landscape plan, and the transfer of land. Mr. Gaechter seconded it. Vote: 5-0, unanimous.**

Report by Recreation Commission (RecCom) on plans for former South Highland burn dump: Ms. Dunigan gave the Board an overview of the process used to hire an engineering firm to study the two areas. The area of the burn dump that has been capped cannot be touched. The chosen design calls for pods for planting trees. There will also be a wildflower meadow and walking paths. On the area that is not capped, they will have two tennis courts, a basketball court and parking for ten cars. They are researching a product that can be put on the courts for an ice skating surface. Mr. Hartman asked the cost, the source of funding, and maintenance costs for this. Ms. Duda told him it is designed to be as maintenance free as possible, needing to be mowed only once a year. They have approached Chief Prada about watering with the fire truck when needed. He was very supportive. The next phase is budget preparation, and they will go back to the CPC for more funds. The Board was assured that the Housing Authority has no interest in this property. Mr. Gaechter noted that it has been offered to them twice.

Snow's Field: Some of the work they plan to do is in the DPW budget, such as removal of trees and improvements to the dugout area. They plan to have a large soccer field, two smaller ones, a baseball diamond, dugouts, and a large parking area. Mr. Morris has said that a lot of this is what the DPW planned to do and could do, so he will put off their plans and do it in concert with this. The plan calls for a paved parking lot, which could be useful for other things--flea markets, dances, events for Truro Treasures. It is felt that having a marked parking lot will work out much better. They have no plans for lighting; they are not planning to hold night games. Mr. Gaechter questioned that there were not plans for skateboarding. He was told that they pay Wellfleet \$1k per year to use theirs. They will be using CPC funds for this plan. They plan to have a public meeting to present these plans and address any concerns. Abutters will be notified. They are interested in getting as much input as they can. Ms. Worthington asked about access for rescue vehicles. The driveway has been moved from Snow's Road to Gospel Path; there will be ample room for an ambulance to enter and turn around. The consensus of the Board was to support the RecCom in proceeding with these plans. Ms. Boleyn told them that the Open Space Committee will be coming to them for suggestions for the Open Space Plan; a questionnaire and survey will need to be taken and they invite RecCom input.

Mr. Gaechter said that they also want to get their input on the issue of bike routes and bike trails in Truro. The issue of safety on back roads and main roads has been a topic raised and the question has been raised where could a bike trail be located in order to bike from the Beach Point area to Provincetown. He is suggested that a meeting be sponsored by the BOS for the purpose of inviting the CCNS and two bike organizations located on the Cape to talk to them about addressing bike issues in Truro. Ms. Dunigan said this has been discussed as part of the Safe Routes to School program. Mr. Gaechter said they should also involve the TEEA and the RecCom. Mr. Hartman asked that they specifically invite Norman Edinberg for his institutional memory and enthusiasm on this topic. Mr. Gaechter said that they have discussed what can be done within the Seashore. Ms. Boleyn said that the Department of Transportation is

working on a State-wide plan, so a representative from that office should also be invited. Mr. Gaechter and Ms. Nolan will work on getting this meeting together with a May-June timeframe.

ZBA Appointment: The ZBA has requested that Ms. Allee, currently an alternate, be appointed as a full member to fill the vacancy created by the resignation of Mr. Conlon. An advertisement was placed and there are no other applicants. **Mr. Palmer moved to appoint Janice Allee as a full member of the ZBA. Mr. Hartman seconded it. Vote: 4-1, with Mr. Lucy opposed.**

Rental Registration fee: Ms. DuPree explained that the Bylaw calls for the BOS to set this fee annually. Ms. Worthington asked if there had been increases in the cost of operating the beaches. Ms. DuPree said that there were, citing the addition of a person to patrol the beaches for illegal beach fires and the increased use of cell phones by beach attendants as examples. She reminded the Board that the Beach Commission had recommended increasing beach sticker fees, and she feels that an increase in fee directly to beach goers would be more equitable than increasing the Rental Registration fee, because not all who rent seasonally voluntarily pay this fee, and there is at present time, no way to police this. Mr. Gaechter reminded the Board that they must be able to show the State that the increase is needed to offset the cost of operating the beaches. **Mr. Gaechter moved to leave the fee as it is and look at it again under their fee discussions with FinCom. Mr. Palmer seconded it. Vote: 5-0, unanimous.**

Municipal Street License: Ms. DuPree went over the application received from Cindy Ladd who is planning to operate a tour business in South Dennis and plans to pass through Truro on her Provincetown tours. She needs to get a license from each town she will pass through in order to obtain a certificate of public convenience and necessity from the State. Chief Thomas has been consulted and has no concerns with this application. She recommended that the Board approve this license as an annual license with a fee of \$15.00, a fee set by the BOS in 2004 for sight-seeing vehicles holding 13-18 passengers. Ms. Ladd will provide each town with copies of her State permit when she receives it. The State is requiring a special inspection of the van, liability insurance, and a driving test for the drivers. **Mr. Palmer moved to approve with the stipulation that if there are any changes to the route, the BOS will be notified. Mr. Hartman seconded it. Vote: 5-0, unanimous.**

Comcast letter: Mr. Hartman explained that the draft letter he prepared should be deferred. They are talking to an attorney to help with negotiation for all the towns and he has advised that they hold off supporting anything at this time.

CC Regional Solid Waste Contract Committee: Ms. Nolan explained that the Board needs to appoint a representative to serve on this committee. **Mr. Gaechter moved to authorize the Town Administrator to serve on this committee and negotiate on behalf of the town. Mr. Hartman seconded it. Vote: 5-0, unanimous.**

Town Administrator's Report: (action items)

- Each BOS was given a copy of the ATM Warrant. Mr. Gaechter assigned the articles to be moved as follows:

Article 1: Ms. Worthington Article 2: Mr. Lucy Article 3: Mr. Lucy Article 4: Mr.

Gaechter Article 5: Mr. Gaechter (Section 2 will be removed on the floor). Article 6: Mr. Lucy Article 7: Mr. Gaechter Article 8: Ms. Worthington Article 9: Ms. Worthington Article 10: Mr. Palmer Article 11: Ms. Worthington Article 12: Section 1: Mr. Gaechter Section 2: Mr. Hartman Section 3: Mr. Hartman Section 4: Mr. Lucy Article 13: Ms. Worthington Article 14 - 17: Mr. Palmer Article 18: Mr. Lucy Article 19-21: Mr. Hartman

- Reported that the new website is being tested this week and she will report more fully next week. It was noted that the BOS agenda was not on the website again. Ms. Nolan was directed to follow up with Mr. Delius to ensure that the agenda get up.
- The Cape Light Compact has asked that the BOS send a letter supporting Bob Mahoney's recommendations to the legislature. **Mr. Gaechter moved to authorize the sample letter be drafted for Truro and authorize the Chair to sign it. Mr. Hartman seconded. Vote: 5-0, unanimous.**
- Updated the Board on the latest Flex bus meeting. The group will continue to meet because there is some concern with how the charges will be charged on the cherry sheet. Truro has the largest ridership, assessed by boardings. The question is what constitutes a boarding. Transfers shouldn't count. She made it clear that the figures being used would not be acceptable.

Selectmen/Liaison Reports: (action items)

Gaechter: -Reported that the review of the complaint by Mr. Coho is being pulled from Executive Session this evening. The BOFE and Town Counsel have consulted and agreed that the BOFE should hold a preliminary review before coming to the BOS on this.

Other business: Ms. Nolan updated the Board on the Veteran's Graves Officer. Austin Rose is willing to serve again. He has the supply of flags. The advertisement closes this Friday, so the appointment can be made next week.

Next week's agenda: Alcoholic Beverage license transfer, appt. Veteran's Graves Officer.

At 7:19 p.m. Mr. Gaechter moved to convene in Executive Session under the provisions of MGL Chapter 39, Section 23B to consider a real estate issue and to not reconvene in Open Session. Roll Call Vote: Hartman, aye; Palmer, aye; Gaechter, aye; Lucy, aye; Worthington, aye. 5-0, unanimous.

Alfred Gaechter, Chairman

Gary Palmer, Vice-Chairman

Christopher R. Lucy, Clerk

Curtis Hartman

Janet W. Worthington

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